

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**HAIDAR MANDOUEH,
SANA MANDOUEH, and
JOY ROAD AUTO REPAIR,**

Plaintiffs,

vs.

CIVIL ACTION NO. 14-CV-10165

DISTRICT JUDGE STEPHEN J. MURPHY, III

MAGISTRATE JUDGE MONA K. MAJZOUB

MID-CENTURY INSURANCE COMPANY,

Defendants.

**OPINION AND ORDER DENYING DEFENDANT'S MOTION
TO COMPEL [6]**

Before the Court is Defendant's Motion to Compel Discovery. (Docket no. 6.) Plaintiffs have not filed a Response. All pretrial matters have been referred to the undersigned for consideration. (Docket no. 7.) The Court dispenses with oral argument pursuant to E.D. Mich L.R. 7.1(e). The Court is now ready to rule on the motion pursuant to 28 U.S.C. § 636(b)(1)(A).

In the instant motion, filed on May 6, 2014, Defendant seeks an order from the Court to compel Plaintiffs to execute and return to Legal Copy Services, Inc. authorizations for the release of Plaintiffs' federal tax returns for the years 2010 through 2013. (Docket no. 6 at 2.) Defendant indicated that he sent Plaintiffs' counsel a letter seeking agreement to the entry of an order, and to avoid the need to file a motion. (*Id.*)

The undersigned finds that Defendant's motion is premature. Pursuant to Fed. R. Civ. P. 26, "[a] party may not seek discovery from any source before the parties have conferred as required by Rule 26(f), except in a proceeding exempted from initial disclosure . . . , or when authorized by [the

Federal Rules], by stipulation, or by court order.” Fed. R. Civ. P. 26(d)(1). The Court has ordered a Rule 26(f) scheduling conference to be held on August 7, 2014, and none of the four exceptions under Rule 26(d) apply in this matter. Thus, until the parties August 7, 2014 conference, Plaintiffs are not obligated to comply with any discovery requests. *See Phillips v. United States Parcel Service, Inc., et al.*, No. 08-13978, 2009 WL 2058582 (E.D. Mich. July 13, 2009). Accordingly, the Court will deny Defendant’s Motion without prejudice.

IT IS SO ORDERED.

NOTICE TO THE PARTIES

Pursuant to Federal Rule of Civil Procedure 72(a), the parties have a period of fourteen days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. § 636(b)(1).

Dated: July 30, 2014

s/ Mona K. Majzoub

MONA K. MAJZOUB

UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Order was served upon Counsel of Record on this date.

Dated: July 30, 2024

s/ Lisa C. Bartlett

Case Manager